

REMARKS

In response to the Final Office Action dated May 23, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 1-12 and 14-45 were pending in the application, of which Claims 1, 19, 29, 38, and 44 are independent. In the Final Office Action, Claim 14 was objected to, and Claims 1-12 and 14-45 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-12 and 15-45 remain in this application with Claim 14 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicants thank Examiner Neway for the courtesy of a telephone interview on September 12, 2007, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not anticipate or render obvious the claims as currently amended. The Examiner stated that the current amendments overcome the currently cited references and that an updated search would be required. No agreement was reached regarding patentability.

II. Objections to the Claims

In the Final Office Action, the Examiner objected to Claim 14 as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 14 has been canceled without prejudice or disclaimer to address this objection.

III. Rejection of Claims Under 35 U.S.C. § 103(a)

In the Final Office Action, the Examiner rejected Claims 1-12 and 14-45 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0035493 ("Mozayeny") in view of U.S. Publication No. 2001/0047264 ("Roundtree"). Claims 1, 19, 29, 38, and 44 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "including the preferences in the query, when information contained in the preferences is omitted in the query, to determine whether the request is compatible with the current schedule, wherein including the preferences comprises, accessing the profile for the customer from the profile database, searching for the preferences containing the information omitted in the query, and updating the query to include the preferences, wherein the preferences contain the information omitted in the query." Amended Claims 19, 29, 38, and 44 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 13, lines 17-24.

Consistent with embodiments of the present invention, an application server may formulate a query to a scheduling database to determine if a request may be compatible with a current schedule. (See specification page 13, lines 17-18.) The query may be

formulated based upon request data keywords that may have been received from a voice services node. (See specification page 13, lines 19-20.) When the request omits or has yet to provide some information that may be included in the query, the application server may access a profile database to search for a requesting party's preferences that may be used to complete the query formulation. (See specification page 13, lines 20-23.) The application server may obtain the requesting party's preferences from the profile database. (See specification page 13, lines 23-24.)

In contrast and as stated by the Examiner, *Mozayeny* at least does not disclose accessing a customer's preferences from a profile database. (See Office Action page 3, lines 11-12.) Because *Mozayeny* does not access a customer's preferences from a profile database, it cannot include these accessed preferences that contain information omitted in the query to determine whether a request is compatible with a current schedule.

Furthermore, Applicants respectfully submit that *Roundtree* does not overcome *Mozayeny*'s deficiencies. For example, *Roundtree* merely discloses a system server that determines whether to prompt a requester for service information. (See paragraph [0048], lines 1-2.) In addition, *Roundtree*'s system server may be programmed based upon particular criteria to query the requestor for more information. (See paragraph [0048], lines 5-7.) In *Roundtree*, the querying is based upon a type of request. (See paragraph [0048], lines 7-8.) Accordingly, if the requester in *Roundtree* has requested a restaurant reservation without specifying a particular restaurant, the system server can query the requester for further corresponding information. (See paragraph [0048], lines 8-11.) The querying in *Roundtree* is directed towards the requester, and therefore, does not rely on a profile database that includes preferences containing information omitted by the requester.

Consequently, *Roundtree* teaches against including information, omitted by the requester, from a profile database including preferences that contain the information omitted by the requester to determine whether a request is compatible with a current schedule. Rather, *Roundtree* merely discloses prompting the requester for information if the system server requires more information from the requester. (See paragraph [0049], lines 1-4.)

Combining *Mozayeny* with *Roundtree* would not have led to the claimed invention because *Mozayeny* and *Roundtree*, either individually or in combination, at least do not disclose "including the preferences in the query, when information contained in the preferences is omitted in the query, to determine whether the request is compatible with the current schedule, wherein including the preferences comprises, accessing the profile for the customer from the profile database, searching for the preferences containing the information omitted in the query, and updating the query to include the preferences, wherein the preferences contain the information omitted in the query," as recited by independent Claim 1. Amended Claims 19, 29, 38, and 44 each includes a similar recitation. Accordingly, independent Claims 1, 19, 29, 38, and 44 each patentably distinguishes the present invention over the cited art, and Applicants respectfully requests withdrawal of this rejection of Claims 1, 19, 29, 38, and 44.

Dependent Claims 2-12, 15-18, 20-28, 30-37, 39-43, and 45 are also allowable at least for the reasons described above regarding independent Claims 1, 19, 29, 38, and 44 and by virtue of their respective dependencies upon independent Claims 1, 19, 29, 38, and 44. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-12, 15-18, 20-28, 30-37, 39-43, and 45.

IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and further examination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Final Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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